86-585

Supreme Court, U.S.
FILED
SEP 27 1986
JOSEPH F. SPANIOL, JR.
CLERK

NO.

IN THE SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1986

EDWARD JOSEPH ALLEN and RALPH ANTHONY BUGLIONE, PETITIONERS

v

PEOPLE OF THE STATE OF CALIFORNIA, RESPONDENT

PETITION FOR WRIT OF CERTIORARI TO THE SUPERIOR COURT OF THE COUNTY OF ORANGE, STATE OF CALIFORNIA

APPEAL

Robert L. Sassone
Attorney for Petitioners
Member of Bar of this Court

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Suite 725
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HHPP

QUESTIONS PRESENTED

1. Has Congress power to define which entities are or are not persons?

2. Has Congress in 1 USC 1 made the fertilized but not yet born human a person by defining "person" to include "individuals"?

3. Is California Penal Code § 602(j) unconstitutionally vague?

4. Does the combination of facts set forth in "Facts Material to Questions Presented" comprise grounds for reversal?

The present case arose as an appeal but the present petition has the form of a petition for writ of certiorari because of Rule 17(c).

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California Case

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GROUNDS ON WHICH THE JURISDICTION OF THIS COURT IS INVOKED

i. The present petition results from a conviction of petitioners for violation of California Penal Code § 602(j), Criminal Misdemeanor Trespass.

ii. The jury verdict was entered January 30, 1985. A motion for new trial was denied April 15, 1985. The judgment was affirmed by the Appellate Department, Superior Court of the State of California, County of Orange, April 1, 1986 and remittitur was filed returning the case to the trial court, the Municipal Court, West Orange County Judicial District May 6, 1986. A petition for a Writ of Certiorari was filed in the Court of Appeal of the State of California, Fourth Appellate District, Division Three and was denied June 6, 1986. Petitioners Petition for Review was denied by the Supreme Court of the

State of California July 23, 1986.

iii. 28 USC 1257(1) confers jurisdiction because petitioners sought to utilize 1 USC 1 as a defense in the trial and Superior Court Appellate Courts and the decision was against its validity.

28 USC 1257(2) confers jurisdiction because petitioners at all levels drew in question the validity of California Penal Code § 602(j) and claimed that as interpreted it was repugnant to and unconstitutional because of the Due Process and Equal Protection Clauses of the United States Constitution and the decision was in favor of its validity.

CONSTITUTIONAL PROVISIONS AND STATUTES INVOLVED

The Fourteenth Amendment states in part:

§ 1 "nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny

to any person within its jurisdiction the equal protection of the laws."

§ 5 "The Congress shall have power to enforce this article by appropriate legislation."

1 USC 1 states in applicable part:

"In determining the meaning of any Act of Congress, unless the context indicates otherwise--... the words "person" and "whoever" include corporations, companies, associations, firms, partnerships, societies, and joint stock companies, as well as individual;"

1 USC 1 is referred to on page 20.

California Penal Code § 602(j) says in applicable part:

"Every person who willfully commits a trespass by any of the following acts is guilty of a misdemeanor: (j) Entering any land...with the intention of interfering with, obstructing, or injuring any lawful business or occupation carried on by the owner of such land, his agent or by the person in lawful possession."

PC § 602(j) is referred to on pages 22 and 24.

California Penal Code § 274 states in applicable part:

"Every person who...employs any instrument or other means whatever, with intent thereby to procure the miscarriage of such woman, except as provided in the Therapeutic Abortion Act...is punishable by imprisonment in the state prison."

PC 274 is referred to on pages 22, 24.

STATEMENT OF CASE

Facts Material to Questions Presented

ALLEN is an almost 80 year old retired police chief who has had two serious heart attacks. BUGLIONE is a retired federal employee who recently had a triple heart bypass. Both are relatively poor. There is no transcript. Defendants would have had to pay a reporter for a transcript and instead, to save money, asked the court prior to trial for permission to tape record the proceedings which permission was given. Accordingly, the following facts are not based on a transcript, but rather on written notes, but it is believed that the written notes can be substantiated by reference to the tape recording.

The entry took place at an abortion clinic owned by Edward Allred, M.D. BUGLIONE had for a number of years attempted to counsel women entering the

clinic. Published reports have indicated that five women have died after abortions by Allred, one less than a month before the entry in the present case.

Allred had attempted to dialogue with those who attempted to counsel women outside the clinic. Many of the counselors come from a local Protestant church. Allred requested an invitation to the church and requested those present, including BUGLIONE to come discuss the various abortion related issues with him.

BUGLIONE asked ALLEN to accompany him for moral support. ALLEN had never previously been to this clinic. They entered an empty public waiting room. A meeting was taking place inside the inner offices. There were no patients. They entered a second door next to the receptionist window and made their presence known. An employee said Allred was absent and demanded they leave. They

replied they would wait for him. She replied they could not. They stated they had permission to see him. She called the police from the station across the street. They still claimed a right to wait in the office for Dr. Allred. Three police officers came but refused to make an arrest. The employee made a citizens' arrest and they were taken from the clinic about five minutes after entry.

One of the police officers present was of the opinion that no crime had taken place since they were quiet and well-mannered and just claimed the right to see the doctor and were even willing to pay for his time. A police report was prepared which suppressed the opinion of this police officer. Defendants did not learn of the opinion of this police officer until it appeared in the probation report after conviction.

Allred was subpenaed but his

attorney obtained an order from the court quashing the subpena on the grounds that his testimony was irrelevant although BUGLIONE argued that he should be able to show that Allred had given him consent.

ALLEN had a tiny feet anti-abortion pin 1/7 sq. inch in area. The judge stated no right to life insignia could appear in the court room. ALLEN replied that he had a right to freedom of speech and expression even in the court room which included the right to wear the pin. The judge ordered ALLEN removed from the court room and kept him out of court for the first two days during jury selection until a higher court ordered him returned to the court room with his pin. The court then gave ALLEN two choices. He could rejoin the trial or be tried separately after BUGLIONE. Since ALLEN had not subpenaed any witnesses, but rather

BUGLIONE had, he was forced to rejoin the trial.

The court permitted only one question relating to abortion on jury voire dire which identified that 10% of the jurors who were most anti-abortion. Half of these were then excused for cause. In spite of requests, the court refused to permit defendants to inquire further.

The court ordered witnesses and spectators entering the courtroom to be searched. The search included a body search as well as a magnetic search and a requirement that witnesses remove all right to life insignias. The search was by a male bailiff. At least one female witness felt the procedure was degrading, refused to enter the court room and was lost to defendants. The court was informed of this problem and refused to modify the search ruling. The prosecution, over objections as to relevance

and prejudice spent more than one day parading witnesses who accused BUGLIONE of being involved in various incidents at the clinic, none of which related to trespass. In addition, a hearsay statement was made that ALLEN and BUGLIONE had once been subjected to a citizens arrest at another clinic of Dr. Allred's.

ALLEN attempted to rehabilitate his character and reputation by putting on evidence of his long career as a chief of police, but the court ruled that such evidence was irrelevant and did not permit it. ALLEN further tried to qualify himself as an expert police witness to show that under the facts presented by the People, no trespass had occurred, the same opinion held by the police officer whose opinion was suppressed in the police report, but ALLEN was not permitted on the grounds that this would be irrelevant.

Defendants attempted to bring in expert medical testimony that the fertilized but not yet born human was unanimously considered by biology, genetics, and medical science to be an individual which would in turn make the not yet born human a person pursuant to 1 USC 1. This testimoney was not permitted.

A laboratory employee who had previously carried fetal material from the clinic to the laboratory would have testified that the clinic was aborting fetuses far larger than the size of premature infants who survive. Her testimony was ruled irrelevant in that she had not removed any such fetuses at about the time of the trespass, in spite of the fact that defendants offered to prove that there had been no change in clinic operation. The District Attorney repeatedly told the jury that trespassing at the clinic was no different than

trespassing at a candy store. The judge repeatedly informed the jury that this clinic was a legal business. The clinic advertised.

Defendants attempted to put before the jury two defense of others defenses to the charge, one because of the women killed, the women BUGLIONE had seen leaving in distress, and the more than 100 malpractice actions against Allred and the other based on a defense of the fetus based on 1 USC 1. The judge did not permit any of this.

The pastor of the church and several others told the jury that Allred had stated he wanted to talk to them in the future to discuss abortion and that BUGLIONE was present in a small group when Allred said it.

In final argument, the District Attorney told the jury that they could find the intent necessary for a trespass

from the admission by defendants that they would have been pleased if Dr. Allred gave up abortion. She said obviously if they talked him into giving up abortion, this would obstruct the business of the abortion clinic and was sufficient intent. The judge refused to give a consent instruction. All necessary objections relating to the preceding were made by defendants, but overruled.

The probation report included a statement by one of the police officers present that in his opinion no crime had been committed, defendants, and the reasons why. The police report had suppressed this opinion which was not made known to defendants until after conviction. The probation report recommended no jail, no probation, and no punishment except for a $25.00 fine. The judge offered defendants three years probation

but they believed the way the probation was worded it would require them to admit the morality of the abortion law and could not accept. The judge then sentenced ALLEN who had never before been to the clinic to 120 days in jail and BUGLIONE to 90 days, probably the longest sentences for a first time trespass in California history, they were jailed forthwith in spite of a California law giving them freedom pending appeal. A higher court released them the same day. In settling the statement, the judge removed all facts which might substantiate the appeal and no court would permit the settled statement to be supplemented by the tape recordings. They were jailed again for 15 days after the Superior Court decision. When released (because the case was still on appeal) by another judge, he weighed 113 lbs. He is 5'11". ALLEN's delicate condition limits his diet.

The jail food includes a large number of greasy items. It gave ALLEN diarrhea, causing weight loss. Because he had formerly been probably America's most famous police chief and had been the police chief selected by both Kefauver and Kennedy to assist U.S. Senate crime investigations, his authorship of the definitive text on the Mafia, his many appointments by high officials to do special services and his weakness, the jail feared an attack on ALLEN and so kept him in solitary confinement with no fresh air the entire time. The jail stress caused a vast increase in the heart medication prescribed for both ALLEN and BUGLIONE while in jail.

Stage Federal Questions Raised

All federal questions except cruel and unusual punishment were raised in the trial court and in the Superior Court which was the last court to which an

appeal could be taken under California law. Documents in the court files will indicate the raising of the questions. Both courts denied petitioners' request. It is believed the tape recordings would substantiate the requests made at trial if it is necessary to furnish additional data.

CONGRESS HAS POWER TO DEFINE WHICH ENTITIES ARE OR ARE NOT PERSONS

Section 5 of the Fourteenth Amendment states:

> "The Congress shall have power to enforce, by appropriate legislation, the provisions of this article."

Congress has passed probably more than 100 laws defining various entities to be a person or not be a person for purposes of the Fourteenth Amendment or to protect rights of these entities under the Fourteenth Amendment. Applicants' attorney knows of no U.S. Supreme Court case limiting the power of Congress to define which entities are or are not persons for purposes of the Fourteenth Amendment. There are perhaps 100 U.S. Supreme Court decisions interpreting whether an entity was or was not a person. These decisions substantially limit themselves to

determining Congressionalintent in deciding whether or not a particular entity was or was not a person for sake of brevity, only about 5% of the cases will be cited as follows:

Aliens are: Re Griffiths (1973) 413 US 717, 37 L Ed 2d 910, 93 S Ct 2851; Corporations are: Santa Clara County v Southern P.R. Co. (1886) 118 US 394, 30 L Ed 118, 6 S Ct 1132; An illegitimate child is: Levy v Louisiana (1968) 391 US 68, 20 L Ed 2d 436, 88 S Ct 1509; Children are: Haley v Ohio (1948) 332 US 596, 92 L Ed 224, 68 S Ct 302; Juveniles are: Re Gault (1967) 387 US 1, 18 L Ed 2d 527, 87 S Ct 1428; A foreign government is: Pfizer, Inc. v Government of India (1978) 434 US 308, 54 L Ed 2d 563, 98 S Ct 584; The United States is not: United States v Cooper Corp. (1941) 312 US 600, 85 L Ed 1071, 61 S Ct 742, later reversed by Congress indicating the power

to define a person to be or not be is so great that the U.S. Supreme Court must acquiesce in any Congressional decision.

A city is: Chattanooga Foundry & Pipe Works v Atlanta (1906) 203 US 390, 51 L Ed 241, 27 S Ct 65; An unincorporated labor union is: United Mine Workers v Coronado Coal Co. (1922) 259 US 344, 66 L Ed 975, 42 S Ct 570; An unincorporated association of manufacturers is: Brown v United States (1928) 276 US 134, 72 L Ed 500, 48 S Ct 288; The United States is not: Davis v Pringle (1925) 268 US 315, 69 L Ed 974, 45 S Ct 549; Municipalities are not: Monroe v Pape (1961) 365 US 167, 5 L ed 2d 492, 81 S Ct 473; the previous Supreme Court in Monroe ibid, made a mistake, Congress intended municipalities to be persons, a city, its mayor, its department of social services, the department's com-

missioner in his official capacity, the city's board of education, and the board's chancellor in his official capacity were all persons. Monel v Department of Social Services (1978) 436 US 658, 56 L Ed 2d 611, 98 S Ct 2018.

The Republican party is not a legal entity, but it is a person, United States v Shirey (1959) 359 US 255, 3 L Ed 2d 789, 79 S Ct 746. Municipalities are persons: United States v Public Utilities Com. (1953) 345 US 295, 97 L Ed 1020, 73 S Ct 706. Interestingly, this case was good law at the same time as Monroe v Pape (1961) 365 US 167, 5 L Ed 2d 492, 81 S Ct 473, indicating that the power of Congress to define an entity to be or not be a person is so great that Congress can define an entity to be a person for one purpose and to not be a person for another purpose and need not be consistent. This in turn indi-

cates that there are no inherent qualifications for personhood which qualify an entity to be a person or disqualify it, other than other constitutional provisions, none of which disqualify any entity from being a person. If Congress were to define the moon or a rock or an automobile to have the rights of a person, that would be sufficient.

Other examples include: states, their agents and liquor dispensers are persons, South Carolina v United States (1905) 199 US 437, 50 L Ed 261, 26 S Ct 110; Dealers in liquor are persons, Ohio v Helvering (1934) 292 US 360, 78 L Ed 1307, 54 S Ct 725; Railroads are persons, International Brotherhood of Teamsters, etc. v New York, N.H. & H.R. Co. (1956) 350 US 155, 100 L Ed 166, 76 S Ct 227.

The United States is a person and at the same time is not a person, Far

East Conference v United States (1952) 342 US 570, 96 L Ed 576, 72 S Ct 492, United States v United Mine Workers (1947) 330 US 258, 91 L Ed 884, 67 S Ct 677. The power of the U.S.Supreme Court is limited to determining whether or not Congress wants an entity to be a person and if the U.S. Supreme Court makes a mistake in determining Congressional intent, as Congress believed it did in United States v Cooper Corp. (1941) 312 US 600, 85 L Ed 1071, 61 S Ct 742, then Congress as the higher body can correct the U.S. Supreme Court as it did in legislatively reversing said decision.

More over, person is an inclusive rather than an exclusive term and does not by itself imply that any entity falls without its bounds, Pfizer, Inc. v Government of India (1978) 434 US 308, 54 L Ed 2d 563, 98 S Ct 584, reh den 435

US 910, 55 L Ed 2d 502, 98 S Ct 1462. The court further held that the status of an entity does not preclude Congress from making it a person and that person is not a terms of art with a fixed meaning which is consistent with unlimited power in Congress to define an entity to be a person.

A substantial number of cases held that the intent of Congress is what determines an entity to be a person or not be a person. Among these are: Monell v Department of Social Services (1978) 436 US 658, 56 L Ed 2d 611, 98 S Ct 2018, United States v Shirey (1959) 359 US 255, 3 L Ed 2d 789, 79 S Ct 746, Sims v United States (1959) 359 US 108, 3 L Ed 2d 667, 79 S Ct 641.

CONGRESS HAS MADE THE FERTILIZED BUT NOT YET BORN HUMAN A PERSON

In applicable part 1 USC 1 states:

> "In determining the meaning of any Act of Congress, unless the context indicates otherwise--... the words "Person" and "whoever" include corporations, companies, associations, firms, partnerships, societies, and joint stock companies, as well as individuals;"

If Congress has the power to define "person" to include "individual", then it is necessary to determine the meaning of "individual" to determine whether or not "individual" includes the fertilized but not yet born human. Congress has the power to define "individual" to include or exclude the unborn. It has not exercised this power. This is not unusual. The various U.S. laws are millions of words long and only a tiny fraction of the words are defined by Congress. How do we determine the meaning of the more than 99% of the words which are not

defined by Congress? When they become important, courts look to their meaning in the dictionary, or in the applicable art or science in defining a word for the first time. This court has never previously decided whether "individual" includes or excludes the fertilized but not yet born human.

There is great dispute over whether or not abortion should be legal and whether or not the unborn should have a right to life. There is, however, absolutely no dispute as to whether or not the fertilized but not yet born human is an individual. Medicine, genetics, biology, the dictionary et al. agree that the new human becomes an individual at the time of fertilization. The only battle is a non-scientific battle. What value should this new human have?

If the new human is an individual, petitioners should prevail herein.

AS INTERPRETED BELOW CALIFORNIA PENAL CODE § 602(j) IS UNCONSTITUTIONALLY VAGUE

Petitioners were convicted of violating California Penal Code § 602(j) which says in applicable part:

> "Every person who willfully commits a trespass by any of the following acts is guilty of a misdemeanor: (j) Entering any land...with the intention of interfering with, obstructing, or injuring any lawful business or occupation carried on by the owner of such land, his agent or by the person in lawful possession."

The land in question was an abortion clinic, not a hospital but a doctor's office where the doctor, with associates, performed abortions. This doctor was unusual in several respects. Five women have died as a result of abortions performed by him and his associates in recent years. He does abortions in his office well into the third and final trimester. He violates the

guidelines permitted for legal abortions set up by court cases which happened to dominate the abortion law at the time of the alleged trespass.

Prior to 1968, California Penal Code § 274 defined abortion as a felony except when necessary to preserve the life of the mother. Beginning with 1968, § 274 was changed to make abortion a felony except when the abortion was performed "as provided in the Therapeutic Abortion Act".

In People v Barksdale 8 Cal 3d 320 at 338 (1972), the California Supreme Court found Penal Codes § 274 valid in its entirety and also found valid those provisions of the Therapeutic Abortion Act, namely the provisions prohibiting late term abortions, which petitioners rely on for the proposition that the clinic of Dr. Allred was illegal because it was killing human beings who were

of seven to eight months gestation. The only reason petitioners were not able to prove this was because the trial judge ruled the testimony to be irrelevant, but offer of proof was made. No U.S. Supreme Court case at the time of trial had made California Penal Code § 274 as interpreted by the California Supreme Court unconstitutional. Accordingly, by the standards set forth by the California Supreme Court in Barksdale, ibid. and cases cited therein and by the U.S. Supreme Court in Bouie v Columbia (1964) 378 US 347, 12 L Ed 2d 894, 84 S Ct 1697, and cases cited therein, California Penal Code § 602(j) falls far below the necessary fair warning standard.

It is vague on its face if it can be interpreted as the District Attorney argued without requested admonition or or clarification by the court that the intention of interfering can be found

from a mere wish to talk to the doctor with the hope that he might stop doing abortions. It is vague on its face if a request for a consent instruction when there is evidence that the owner gave consent and when the owner was subpenaed to testify that he gave consent but the subpena was quashed, is not mandatory. But there is, according to Bouie, ibid. an even worse defect.

A reading of the California Code and a knowledge of the facts could lead to only one conclusion, that the clinic at which the entry took place was not carrying on "any lawful business or occupation." Even under the extremely permissive abortion laws imposed on the public by this court and the California Supreme Court at the time of the entry, the business was illegal. The fact that this court may have later amended its defined abortion law to legalize

abortion until at least the moment of birth should not operate retroactively to make this clinic legal prior to this court's most recent abortion decision. Under Bouie, ibid., the inability of petitioners to rely on the then published California law without knowing court decisions probably requires reversal. When, as added insult, even if they knew all the court decisions previously made, the clinic would still appear to be unlawful, adds to the requirement for reversal.

THE COMBINATION OF FACTS SET FORTH IN "FACTS MATERIAL TO QUESTIONS PRESENTED" COMPRISES GROUNDS FOR REVERSAL

Petitioners offer tape recordings which on information and belief give sufficient substantiation to the facts stated. Reversals have been ordered in cases involving fewer violations.

CONCLUSION

For the reasons submitted, this Court is requested to grant the petition.

Dated: September 19, 1986

Respectfully submitted,

Robert L. Sassone

Robert L. Sassone
Attorney for Petitioners
Member of Bar of this Court

APPENDIX CONTENTS

1. Documents indicating dates and denials of relief from lower courts. There were no opinions.

2. Proof of Service by Mail by Robert L. Sassone, made a member of the bar of this Court October 26, 1971.

WEST ORANGE COUNTY JUDICIAL DISTRICT

MUNICIPAL COURT

THE PEOPLE OF THE STATE OF CALIFORNIA, Plaintiff, vs EDWARD JOSEPH ALLEN, RALPH ANTHONY BUGLIONE, Defendants.	CYW 94040 A&B JURY VERDICT SENTENCE

We the jury find the defendants guilty of violation of California Penal Code § 602(j).

Dated: January 30, 1985

Defendant EDWARD JOSEPH ALLEN is sentenced to 120 days in county jail. Defendant RALPH ANTHONY BUGLIONE is sentenced to 90 days in county jail.

Dated: April 15, 1985

HON. KATHLEEN O'LEARY,
Judge Presiding

SUPERIOR COURT OF THE STATE OF CALIFORNIA

APPELLATE DEPARTMENT, COUNTY OF ORANGE

THE PEOPLE OF THE STATE OF CALIFORNIA,	) NO. AP 5230
Plaintiffs and Respondent,	) ON APPEAL FROM
vs	) THE MUNICIPAL
EDWARD JOSEPH ALLEN, RALPH ANTHONY BUGLIONE,	) COURT OF THE
Defendants and Appellants.	) WEST ORANGE
	) COUNTY JUDICIAL
	) DISTRICT

HON. KATHLEEN E. O'LEARY, JUDGE

This cause having been argued and submitted, and fully considered, judgment is ordered as follows: It is ORDERED AND ADJUDGED that the judgments of conviction made and entered in the Municipal Court of the above designated Judicial District, County of Orange, State of California, in the above entitled cause be and the same is hereby affirmed. The cause is remanded to the Municipal Court for further proceedings. Dated: April 1, 1986. Hon. Frank Dominichini, Richard Beacom, John Woolley

IN THE COURT OF APPEAL OF THE

STATE OF CALIFORNIA

FOURTH APPELLATE DISTRICT

DIVISION THREE

EDWARD JOSEPH ALLEN, et al., Petitioners, vs SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE, Respondent, THE PEOPLE OF THE STATE OF CALIFORNIA, Real Party in Interest,	ORDER G004173 (Super. Ct. No. Ap-5230)

THE COURT:*

The petition for a writ of certiorari is DENIED.

TROTTER

TROTTER, Presiding Justice

*Before Trotter, P.J., Wallin, J. and Sonenshine, J. Filed June 6, 1986

ORDER DENYING REVIEW

AFTER JUDGMENT BY THE COURT OF APPEAL

4th District, Division 3, No. G004173

IN THE SUPREME COURT OF THE

STATE OF CALIFORNIA

IN BANK

EDWARD JOSEPH ALLEN et al., Petitioners,

v.

SUPERIOR COURT OF THE COUNTY OF ORANGE,

Respondent; PEOPLE, Real Party in Interest.

Petitioners' petition for review DENIED.

BIRD

Chief Justice

Filed July 23, 1986

State of California)
County of Orange) ss.

ROBERT L. SASSONE, being first duly sworn, says:

I am the attorney for petitioners and I was admitted to practice before the U.S. Supreme Court October 26, 1971. On October 7, 1986, I deposited into the United States mail enclosed in sealed envelopes with first class postage thereon fully prepaid at 900 North Broadway, Santa Ana, California, the following copies of the present petition addressed as follows:

Forty copies to:	One copy to:
U.S. Supreme Court 1 First St. N.E. Washington, DC 20543	Solicitor General Dept. of Justice Washington, DC 20530
District Attorney 700 W. Civic Center Santa Ana, CA 92701	State Atty.General 110 West A San Diego, CA 92102

I have also deposited into the United States mail in sealed envelopes with first class postage thereon fully prepaid at 900 N. Broadway, Santa Ana,

California, the following copies of the present petition addressed to the lower courts as follows:

One copy to:
Hon. K. O'Leary
P.O. Box 5000
Fullerton, CA 92635

Four copies to:
Court of Appeals
P.O. Box 12500
Santa Ana, CA 92701

Four copies to:
Superior Court Appellate Dept.
700 W. Civic Center Dr.
Santa Ana, CA 92701

Seven copies to:
California Supreme Court
Room 4250 State Building
San Francisco, CA 94102

Mailing was within the permitted time.

Robert L. Sassone

ROBERT L. SASSONE

Subscribed and sworn to before me on October 7, 1986.

Lawrence D. Sassone

LAWRENCE D. SASSONE

